

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: : Case No.: 17-23561-GLT  
           : Chapter: 13  
 David Lee Jones :  
           :  
           :  
 Debtor(s). : Date: 12/8/2021  
           : Time: 11:00

**PROCEEDING MEMO**

**MATTER:** #169 - Order To Show Cause For Failure to File Status Report  
                   #171 - Response filed by Debtor

**APPEARANCES:**

Debtor: David A. Colecchia  
 Trustee: Owen Katz  
 SN Servicing: Bill Miller

**NOTES:** [11:28 a.m.]

Colecchia: Part of the problem is that I lost contact with my client. He went on vacation in Florida and suffered a bad fall. We used VABenefits to pay the arrears for this plan. After returning from Florida, my client had his remaining leg amputated. As for missing the date, that is my fault.

Court: Okay, now we're getting to the issue. Your client's terrible misfortune does not excuse your lack of responsiveness to the Court.

Colecchia: I missed the date due to an error with calendaring. I will work to improve things with my office staff and policies.

Court: Okay, but I am noticing that this is a repeat problem with your office. Why should I not levy a monetary sanction?

Colecchia: All I can say is that I am sorry.

Court: Let me move to SN Servicing.

Miller: I can report that we are satisfied with the Debtor's insurance coverage now. We can work towards resolution of the notice of mortgage payment change.

Colecchia: Can the lender provide me with a copy of the current tax bill? I believe I know that it is a street light tax, but I need to see it to be sure.

Miller: Yes, I can provide that.

Court: At this point, it sounds like the parties should meet and confer within the next 2 weeks to head off any issue on the NMPC. As for the order to show cause, I am going to impose a modest sanction of \$50 to communicate the court's displeasure with the pattern of missed deadlines. I will highlight that this is solely attributable to the conduct of counsel.

**OUTCOME:**

1. The hearing on the *Order to Show Cause for Failure to File Status Report* [Dkt. No. 169] is CONCLUDED. [Text Order to Issue]
2. For the reasons stated on the record, the Court imposes a modest sanction of \$50 against Attorney Colecchia due to the failure to timely submit a status report. [Chambers to Issue]

**DATED:** 12/8/2021